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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,536	04/25/2001	Todd A. Newville	09651-014001	7416
26161	7590	05/18/2005	EXAMINER	
FISH & RICHARDSON PC 225 FRANKLIN ST BOSTON, MA 02110				RAMPURIA, SHARAD K
		ART UNIT		PAPER NUMBER
				2683

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/843,536	NEWVILLE, TODD A.
	Examiner	Art Unit
	Sharad Rampuria	2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 February 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2 and 6-20 is/are pending in the application.
- 4a) Of the above claim(s) 3-5 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2 and 6-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

Applicant's arguments with respect to claims 1-2, 6-20 have been considered but are moot in view of the new ground(s) of rejection.

Claims 3-5 were cancelled as in previous action.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 9-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. [US 6473609] in view of Richton [US 6650902].

1. Regarding claim 1, Schwartz disclosed a communication system (602; fig.6) comprising: a stationary transceiver (606; fig.6) defining an information portal in a vicinity thereof; a local server (604; fig.6) in communication with said transceiver, said local server being configured to respond to a mobile processing-system present within said information portal, (col.17; 16-45) and

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Schwartz fails to disclosed mobile processing systems data previously requested by said mobile processing system prior to entry of said mobile processing system into said information portal. However, Richton teaches in an analogous art, that to provide to said mobile processing systems data previously requested by said mobile processing system prior to entry of said mobile processing system into said information portal. (information...obtained...within 10,15, or 2 miles of an airport; col.4; 28-52, col.9; 17-36, col.12; 44-61) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include mobile processing systems data previously requested by said mobile processing system prior to entry of said mobile processing system into said information portal in order to provide information ahead, such as the traveler approaches the remote location, and gets within a certain distance the remote location, information such as airline arrival information is retrieved and sent to the wireless mobile unit of the traveler.

9. Regarding claim 9, Schwartz disclosed The communication system of claim 1, wherein said local server and said stationary transceiver are in communication across a local area network. (col.2; 63-col.3; 5)

10. Regarding claim 10, Schwartz disclosed The communication system of claim 1, wherein said local server and said stationary transceiver are in wireless communication across a local area network. (col.2; 63-col.3; 5)

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11. Regarding Claim 11, Schwartz disclosed The communication system of claim 1, further comprising a fulfillment server in communication with said local server, said fulfillment server having access to a wide area network. (604; fig.1; col.11; 4-33)

12. Regarding Claim 12, Schwartz the communication system of claim 11, wherein said local server comprises a cache for temporary accumulation of information from said fulfillment server to be relayed to said mobile processing system. (col.17; 3-15).

13. Regarding Claim 13, Schwartz disclosed The communication system of claim 11, wherein said wide area network comprises a global computer network. (604; fig.1; col.11; 4-33).

14. Regarding Claim 14, Schwartz disclosed The communication system of claim 11, wherein said fulfillment server includes a user-interface for enabling a user to cause said fulfillment server to collect selected information. (604; fig.1; col.11; 4-33)

15. Regarding Claim 15, Schwartz disclosed The communication system of claim 14, wherein said fulfillment server is configured to provide said selected information to said local server when said local server identifies, within said information portal, a mobile processing unit associated with said user. (604; fig.1; col.11; 4-33)

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16. Regarding Claim 16, Schwartz disclosed The communication system of claim 14, wherein said fulfillment server includes a user-interface for enabling a user to cause said fulfillment server to detect an occurrence of a condition. (604; fig.1; col.11; 4-33).

17. Regarding Claim 17, Schwartz disclosed The communication system of claim 16, wherein said fulfillment server is configured to provide information indicative of an occurrence of said condition to said local server when said local server identifies, within said information portal, a mobile processing unit associated with said user. (604; fig.1; col.11; 4-33)

18. Regarding Claim 18, Schwartz disclosed The communication system of claim 16, wherein said fulfillment server is configured to provide interactive services to said mobile processing unit. (604; fig.1; col.11; 4-33).

19. Regarding claim 19, Schwartz disclosed a communication system (602; fig.6) comprising: a plurality of stationary transceivers (606; fig.6), each configured for wireless communication with a mobile processing system present in a corresponding information portal; and a server system (604; fig.6) in communication with each of said stationary receivers (col.17; 16-45), server system having a link to a global computer network and thereby providing said mobile processing system with wireless access to said global computer network said server system including a server. (Abstract, col.17; 3-15, col.3; 37-54)

Schwartz fails to disclosed mobile processing systems data previously requested by said mobile processing system prior to entry of said mobile processing system into said information

portal. However, Richton teaches in an analogous art, that to provide to said mobile processing systems data previously requested by said mobile processing system prior to entry of said mobile processing system into said information portal. (information...obtained...within 10,15, or 2 miles of an airport; col.4; 28-52, col.9; 17-36, col.12; 44-61) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include mobile processing systems data previously requested by said mobile processing system prior to entry of said mobile processing system into said information portal in order to provide information ahead, such as the traveler approaches the remote location, and gets within a certain distance the remote location, information such as airline arrival information is retrieved and sent to the wireless mobile unit of the traveler.

20. Regarding claim 20, Schwartz disclosed a method for providing a mobile processing system with wireless access to a global computer network (abstract), said method comprising: maintaining an information portal (col.17; 16-45); establishing wireless communication between said mobile processing system and a server system following entry of said mobile processing system into said information portal; (col.17; 16-45, col.3; 37-54)

Schwartz fails to disclosed mobile processing systems data previously requested by said mobile processing system prior to entry of said mobile processing system into said information portal. However, Richton teaches in an analogous art, that to provide to said mobile processing systems data previously requested by said mobile processing system prior to entry of said mobile processing system into said information portal. (information...obtained...within 10,15, or 2

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miles of an airport; col.4; 28-52, col.9; 17-36, col.12; 44-61) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include mobile processing systems data previously requested by said mobile processing system prior to entry of said mobile processing system into said information portal in order to provide information ahead, such as the traveler approaches the remote location, and gets within a certain distance the remote location, information such as airline arrival information is retrieved and sent to the wireless mobile unit of the traveler.

Claims 2, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz in view of Gazdzinski [US 6615175].

2. Regarding claim 2, Schwartz disclosed a communication system (602; fig.6) comprising:
a stationary transceiver (606; fig.6) defining an information portal in a vicinity thereof; a local server (604; fig.6) in communication with said transceiver, said local server being configured to respond to identify and respond to a mobile processing-system present within said information portal. (col.17; 16-45) and, to perform a function on the basis of the identity of said mobile processing-system. (Abstract, col.17; 3-15, col.3; 37-54)

Schwartz fails to disclose permitting building access to a portion of said building. However, Gazdzinski teaches in an analogous art that function being selected from the group consisting of: permitting building access to a portion of said building; controlling an elevator in said building. (Abstract and col.15; 46-55) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include permitting building access to a portion

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of said building in order to provide an information and control system for personnel transport devices.

6. Regarding claim 6, Schwartz disclosed the communication system of claim 2, further comprising an access control unit in communication with said local server, said access control unit being controlled by said local server on the basis of the identity of said mobile processing-system. (604; fig. 1; col.11; 4-33).

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz and Richton further in view of Gazdzinski [US 6615175]

8. Regarding claim 8, the above combinations disclosed all the particulars of the claim except stationary transceiver is disposed at a location selected from the group consisting of an elevator, a building lobby. However, Gazdzinski teaches in an analogous art, that the communication system of claim 1, wherein said stationary transceiver is disposed at a location selected from the group consisting of an elevator, a building lobby, and a vehicle (Abstract and col.15; 46-55) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include stationary transceiver is disposed at a location selected from the group consisting of an elevator, a building lobby in order to provide an information and control system for personnel transport devices.

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Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz and Richton further in view of Carey et al.

7. Regarding Claim 7, the above combinations disclosed all the particulars of the claim except transceiver is selected from the group consisting of a radio transceiver, an optical transceiver, an infrared transceiver, and an acoustic transceiver. However, Carey teaches in an analogous art, that The communication system of claim 1, wherein said stationary transceiver is selected from the group consisting of a radio transceiver, an optical transceiver, an infrared transceiver, and an acoustic transceiver. (col.9; 1-9) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include transceiver is selected from the group consisting of a radio transceiver, an optical transceiver, an infrared transceiver, and an acoustic transceiver in order to provide optimum radiation patterns within coverage area of a wireless communication system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on Mon-Fri. (8:10-4:40).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or EBC@uspto.gov.

Sharad Rampuria
Examiner
Art Unit 2683

3 May 2005



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